

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**MARIA CASANOVA,**

**Plaintiff,**

**vs.**

**WALMART STORES, INC.,**

**Defendant.**

**8:19CV199**

**SECOND AMENDED  
CASE PROGRESSION ORDER**

This matter comes before the Court on the Motion to Alter Deadlines ([Filing No. 20](#)). After a review of the motion, the Court finds good cause to grant the requested extensions. Accordingly,

**IT IS ORDERED** that the Motion to Alter Deadlines ([Filing No. 20](#)) is granted and the following case progression deadlines shall apply:

- 1) The status conference set for **April 6, 2020, at 11:00 a.m.** is cancelled.
- 2) The deadline for moving to amend pleadings or add parties is **April 12, 2020**.
- 3) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff: **May 16, 2020**

For the defendant: **July 17, 2020**

- 4) The deadlines for complete expert disclosures<sup>1</sup> for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff: **June 6, 2020**

For the defendant: **August 7, 2020**

- 5) The deadline for completing written discovery under Rules 33, 34, and 36 of the Federal Rules of Civil Procedure is **August 27, 2020**. Motions to compel discovery under Rules 33, 34, and 36 must be filed by **September 3, 2020**.

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<sup>1</sup> While treating medical and mental health care providers are generally not considered “specially retained experts,” not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert’s treatment records and reports must be separately and timely disclosed.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge on or before the motion to compel deadline to set a conference to discuss the parties' dispute, and after being granted leave to do so by the Court.

- 6) The deposition deadline is **September 1, 2020**.
- 7) A status conference to discuss dispositive motions, the pretrial conference and trial dates, and settlement status will be held with the undersigned magistrate judge on **September 11, 2020**, at **9:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 8) The deadline for filing motions to dismiss and motions for summary judgment is **October 15, 2020**.
- 9) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **October 15, 2020**.
- 10) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 11) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 9<sup>th</sup> day of December, 2019.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge